

WILLIAM O. STEVENS

SEPTEMBER 14 (legislative day, SEPTEMBER 13), 1951.—Ordered to be printed

Mr. HUNT, from the Committee on Armed Services, submitted the following

R E P O R T

[To accompany H. R. 662]

The Committee on Armed Services, to whom was referred the bill (H. R. 662) for the relief of William O. Stevens, having considered the same, report favorably thereon without amendment and recommend that the bill do pass.

PURPOSE OF THE BILL

The purpose of the proposed legislation is to authorize and direct the Secretary of the Navy to pay to William O. Stevens, formerly a professor at the United States Naval Academy, the sum of \$100 per month for the remainder of his life, beginning with the month in which the act is approved. The bill further stipulates that such payments shall be chargeable to such appropriations as may be made for the payment of retirement annuities to civilian members of the teaching staff of the United States Naval Academy and postgraduate schools.

EXPLANATION OF THE BILL

Background information

Mr. Stevens served at the Naval Academy as a civilian professor of English from July 1, 1903, to December 8, 1924, about 21 years. His date of birth, according to Naval Academy records is October 7, 1878, so that he is now approaching 73.

Professor Stevens was one of several members of the teaching staff at the Naval Academy whose appointments were terminated in 1924 as a result of congressional action reducing the number of midshipmen, with a corresponding reduction in the money appropriated for the pay of civilian teachers. At the time of the termination of Mr. Stevens' services there was no provision of law which granted professors and instructors at the Naval Academy retirement benefits. There was

no provision obligating the Government to pay any retirement or other benefits to such personnel on the termination of their services. The files of the Naval Academy show no contractual or other obligations under which Mr. Stevens would be entitled to additional compensation.

Previous congressional action

During the Eighty-first Congress, the House Committee on Armed Services reported favorably a bill for the relief of Horace J. Fenton, who served as a civilian instructor at the Naval Academy for more than 20 years, whose appointment was terminated in 1924 as a result of a reduction of midshipmen authorized to attend the Academy, and a consequent reduction in the appropriations for the Naval Academy. The bill involving Mr. Fenton was passed and is now Private Law 458 of the Eighty-first Congress. Prior to that time, two previous laws had been enacted for former professors who had left the Naval Academy under similar circumstances, and prior to enactment of retirement legislation.

In view of the precedent established by the three previous private laws, as well as the fact that Mr. Stevens' service exceeded 20 years, and he is now quite advanced in years, the committee feels that the relieve provided by this bill is warranted.

RECOMMENDATIONS OF THE DEPARTMENT

The Navy Department, with the approval of the Bureau of the Budget, interposes no objection to the enactment of the proposed bill, as indicated by the attached letter. The House committee did not, however, accept the recommendation of the Navy Department that the payment of the pension be made out of Treasury funds in view of the fact that the legislation enacted last year in a similar case provided that the payment would be chargeable to appropriations made for the retirement annuities of the civilian teaching staff at the Naval Academy. The Senate Committee concurs in this action. Thus, enactment of the proposed measure will require an increase of \$1,200 per annum for the payment of such retirement annuities.

DEPARTMENT OF THE NAVY,
OFFICE OF THE JUDGE ADVOCATE GENERAL,
Washington, D. C., May 8, 1951.

HON. CARL VINSON,
*Chairman, Committee on Armed Services,
House of Representatives.*

MY DEAR MR. CHAIRMAN: The bill (H. R. 662) for the relief of William O. Stevens, has been assigned to this Department by the Secretary of Defense for the preparation of a report thereon expressing the views of the Department of Defense.

The purpose of the proposed legislation is to authorize and direct the Secretary of the Navy to pay to William O. Stevens, formerly a professor at the United States Naval Academy, the sum of \$100 per month for the remainder of his life, chargeable to such appropriations as may be made for the payment of retirement annuities to civilian members of the teaching staff of the United States Naval Academy and postgraduate schools.

Mr. Stevens was appointed professor of English at the Naval Academy in 1903, and served in that capacity until 1924; his reappointments during that period were on a yearly basis. In 1924, Professor Stevens was one of several members of the teaching staff at the Naval Academy whose appointments were terminated as a result of congressional action reducing the number of midshipmen with a corresponding reduction in the money appropriated for the pay of civilian teachers.

At the time of the termination of Professor Stevens' services, there was no provision of law which granted retirement benefits to members of the Naval Academy teaching staff. He therefore made no contribution to a retirement fund such as is now required by law to insure retirement benefits for members of the Naval Academy civilian faculty. There is no record of physical disability incurred during the period of his employment at the Naval Academy and the appointments of the professors and instructors during the period of Professor Stevens' service made no provision binding the Government to pay any retirement or other benefits to such personnel upon the termination of their services.

The Navy Department recommended against enactment of H. R. 6749, Eighty-first Congress, an identical bill, and has opposed other similar bills for the foregoing reasons.

The virtually identical case of former Associate Prof. Horace J. Fenton was considered by the Eighty-first Congress, which granted similar relief by enactment of Private Law 458 although it had been opposed by the Navy Department.

Should this bill receive favorable consideration of your committee, it is recommended that payment of the pension be made out of Treasury funds rather than from appropriations made for the payment of retirement annuities to civilian members of the teaching staff of the United States Naval Academy and post-graduate school. That appropriation contains no provision for the expenditure which this bill would involve.

In view of the action of the Congress in the case of former Associate Professor Fenton, the Navy Department will now interpose no objection to enactment of H. R. 662.

The Navy Department has been advised by the Bureau of the Budget that there is no objection to the submission of this report to the Congress.

Sincerely yours,

G. L. RUSSELL,
Rear Admiral, United States Navy,
Judge Advocate General of the Navy
(For the Secretary of the Navy).



